

# **Exhibit 374**

## **PART 24**

***United States of America ex rel. Ven-A-Care of the Florida Keys, Inc., et al.  
v. Dey, Inc., et al., Civil Action No. 05-11084-PBS***

**Exhibit to the August 28, 2009 Declaration of Sarah L. Reid in Support  
of Dey's Opposition to Plaintiffs' Motion for Partial Summary Judgment**

## I.

I, Michael-Todd: Ricks-Bey, hold these Truths to be self-evident, that all Men are created equal, that all are endowed with certain unalienable Rights, which among these are Life, Liberty and Property.

## II.

That to secure these Rights, Governments are instituted among Men, and deriving their just Powers from the Consent of the governed. Prudence, indeed, will dictate that Government long established should not be changed for light and transient Causes; and accordingly all experience hath shown, that Mankind are more disposed to suffer, while Evils are sufferable, than to right themselves by abolishing the Forms to which they are accustomed. But when a long Train of Abuses and Usurpations, pursuing invariably the same Object, evidences a Design to reduce him under absolute Despotism, it is the Sovereign's Right, it is the Sovereign's Duty, to throw off such Government, and to provide new Guards for his future Security.

## III.

Such has been my patient Sufferance; and such is now the Necessity, which constrains me to alter my current Status. The History of the present Government [Federal Corporation] is a History of repeated Injuries and Usurpations, all having in direct object the Establishment of an absolute Tyranny over the Sovereign in the republic. To prove this, let Facts be submitted to a candid World. [The foregoing language from the Declaration of Independence has been minimally altered to reflect my personification.]

DECLARATION OF Michael-Todd: Ricks-Bey

I, Michael-Todd: Ricks-Bey, being a natural born Moorish American Citizen of Virginia Commonwealth Republic, in the Year of Our Lord, One Thousand Nine Hundred and Fifty Nine [1959] DO, in the Name of Almighty God-Allah, the Declaration of Independence, have the "right to foreswear allegiance and expatriate oneself" ("Committee for Industrial Organization v. Hague, 25 F. Supp. 127, 141 (DCNJ)); United States statutes at Large, vol. 15, Chap. 249, p.223 of the Fortieth Congress: An Act concerning the Rights of American citizens in foreign State. . ."; and, out of decent Respect to the opinions of Mankind, DECLARE THE CAUSES WHICH HAVE IMPELLED ME TO THIS Declaration. FOR WHICH I do SOLEMNLY SAY, PUBLISH and DECLARE of RIGHT [both unalienable and remedial] to EXPATRIATE in my Natural Person and res from the foreign jurisdiction [legislative democracy] (bound over in trust, by the Republic, to the municipal corporation of the District of Columbia), AKA, "United States" and return (repatriate) IN TOTO, to the Republic of the several States, as guaranteed by Article IV, section 4 of the Primary Contract [Constitution of the united States of America and Amendments I through X, unenumerated].

Any and all political connections implied by operation of law, statute, custom, usage, regulation or OTHERWISE in trust with said legislative democracy is hereby DECLARED NULL AND VOID, AB INITIO, and DISSOLVED NUNC PRO TUNC, this Seventeenth day of June, in the year of our Lord Nineteen Hundred and Fifty Nine [1959 A.D.]

CAUSATIONPROLEGOMENOUS OUTLINE:

- I. **Fraud** (constructive and actual)
  - A. United States citizenship [Amendment XIV].
    - (1) Coerced education;
    - (2) Social Security Insurance contract;
    - (3) Use of Postal Service;

- (4) Other instruments of U.S. citizenship.
- (5) Pledge, Mortgage, Lien [council of State Governors (March 6<sup>th</sup>, 1933)].
- (6) Registration of Birth Certificate.

## II. Undue Influence

### A. United States citizenship [Amendment XIV].

- (1) Coerced education;
- (2) Social Security Insurance contract;
- (3) Use of Postal Service;
- (4) Other instruments of U.S. citizenship.
- (5) Pledge, Mortgage, Lien [council of State Governors (March 6<sup>th</sup>, 1933)].
- (7) Registration of Birth Certificate.

## FRAUD

### L. (A) (1) – coerced education.

While in my impressionable years, federal withholding agents coerced my parents into registering and thereafter required me to attend Public, corporate funded schools. While attending these schools, teachers certified [licensed] through the federal withholding agents, conditioned me to serve the federal corporation. I was conditioned into acquiescence; then proceeded to openly proclaim a status of United States citizenship, unwittingly having been contracted into the federal sovereignty empire (Amendment XIV, sec. 1 and 4). The foregoing cabal directed me away from my natural born Moorish American Citizenship and into an undisclosed contractual situation called United States Citizenship.

So being, federal agents and their licensed teachers misrepresented material facts to me in my impressionable years. Because I acted thereof, I have suffered injuries to my (natural) Person, Property, and Rights.

### I. (A)(2) – Social Security Insurance contract.

It was declared, by the Department of Justice, and concurred with by a U.S. District [merchant] Judge, that: "He pays Social Security, he uses the Postal Service, therefore, Mr. Cooper is a United States Citizen." (United States of America v. Austin Gary Cooper, 89-109-cr-Hoever, DCSF 1, 1990).

I was coerced into contract with the Social Security Administration [hereafter referred to as SSA] written and implied contract by and through the deception of federal agents, who informed me that I could not earn a living without first registering with SSA.

While still a minor, I was informed by school officials (as well as potential employers) that I could not get a job unless I agreed to the contract and obtained a Social Security ("SS") number. While true, federal and state agents did not inform me that in order to protect my birth (unalienable) Rights I would have to execute the SSA contract "without prejudice" or "under protest" (Uniform Commercial Code § 1-308). Additionally, I was never exposed to this information, inasmuch as the necessary publications are not found in undergraduate school and public libraries. I succumbed to this deceptive coercion while still a minor.

In summary, through constructive fraud, I was drawn into contracting with SSA. Deceitful federal agents conditioned me into believing that SSA payments were "required by law." I was not informed/taught that

contracting with SSA would bind me into co-surety obligation with the federal corporation [debtor] to the Federal Reserve System [creditor].

Today, the SS is misrepresented as "insurance" (Federal Insurance Contributions Act [FICA]). However, through diligent research I have deduced that SS is not "insurance", but is welfare, according to the "general Welfare" clause of the Primary Contract. Therefore, during my impressionable years and beyond, federal agents misrepresented material facts to me; and, acting in reliance thereupon, I have suffered injury to my (natural) Person, Property and Rights.

#### **I. (A)(3)-Use of the Postal Service.**

The Primary Contract, under Article I, Section 8, clauses [1] and [7], states: "The Congress shall have the Power . . . to Establish Post Offices and post Roads." Approximately ninety-seven (97) years later, under federal martial law, the basis for United States Citizenship [Amendment XIV] was added. Circa July 1971, the Post Offices were converted to the Postal Service, a United States Person. I have been unable to unearth any Thing published that declares that any further uses of the Post Offices, now the Postal Service, constitutes a "voluntary acceptance" into co-surety obligation with the federal corporation. My understanding has always been that I was using the Post Offices provided for in Primary Contract, inasmuch as the buildings that I have done business in have all displayed the words: "United States Post Office" somewhere on their exterior. Moreover, I have accepted the paradox that the "United States Post Office" and the "Postal Service" is, at present, a constitutionally legitimate entity, lawfully serving the needs of Citizens in the Republic, as well as citizens of the [corporate] United States.

As such, it is not unreasonable to conclude that Congress converted the Post Offices to the Postal Service for the concealed purpose of binding any natural person using it into co-surety obligation to the federal corporate debt. Rather, the federal corporation should have acted in good faith by advertising that any further use of what has become the Postal Service without a specific reservation of one's Rights [writing the language "without prejudice," "under protest," or the like (UCC § 1-308 and its filial relations adopted as state/commonwealth statutes)] above the Postal address used would bind one into such co-surety obligation.

#### **I. (A)(4)- Other Instruments of U.S. citizenship.**

In the case of U.S. v. Cooper, supra, the trial tribunal judge averred that there were other mediums also used to confer personal jurisdiction by the federal corporation; however, he would not expound on his averment, nor, when asked, would he identify such.

#### **I. (A)(5) – Pledge, Mortgage, Lien [counsel of State governors (March 6<sup>th</sup>, 1933)].**

Michael-Todd: Ricks-Bey, states, avers, that Michael-Todd: Ricks-Bey, does not assent to, presents timely Lawful Protest against any pledge, mortgage, lien, or other encumbrance, on behalf of, Michael-Todd: Ricks-Bey, by Council of State governors, March 6, 1933, to be security or collateral for any part of the National/Federal hypothecated Debt via a counterfeited security, i.e., registered Birth Certificate through constructive fraud.

#### **I. (A)(6) – Registration of Birth or Naturalization Certificate.**

When a child is born, the hospital sends the original, not a copy, of the record of live birth to the State Bureau of Vital Statistics, sometimes called the Department of Social and Health Services (DSHS). Each STATE is required to supply the UNITED STATES with birth, death, and health statistics (Senate Document No. 43 of the 73<sup>rd</sup> Congress, 1<sup>st</sup> Session (1933); Conference of Governors on March 6<sup>th</sup>, 1933). The STATE agency that receives the original record of live birth keeps it and then issues a birth certificate in the corrupted, all-caps version of the child's true name or an invoice number.

The birth or Naturalization certificate issued by State or Federal Government is then 'registered' with the U.S. Department of Commerce-the Executive Office-specifically through their own sub-agency, the U.S. Census Bureau, which is responsible to 'register' vital statistics from all the states. The word 'registered' as it is used within commercial or legal based equity law does not mean that the all-caps name or invoice number was merely noted in a

book for reference purposes. When a birth or naturalization certificate is 'registered' with the U.S. Department of Commerce it means that the all-caps/invoice number legal person named thereon has become a surety or guarantor, a condition and obligation that is automatically and unwittingly assumed unless the presumption is effectively rebutted; i.e., notice to the effect of: **"It isn't me."**

The legal person known as the UNITED STATES is bankrupt and holds no lawful Constitutionally mandated silver or gold-coin or bullion-with which to back any currency. All privately held and federally held gold coins and bullion in America was seized via Executive Order of April 5, 1933 in House Joint Resolution (HJR) 192; June 5, 1933, 73<sup>rd</sup> Congress, 1<sup>st</sup> Session, Public Law 73-10. This public law states, in part:

*"every provision contained in or made with respect to any obligation which purports to give oblige a right to require payment in gold or a particular kind of coin or currency, or in an amount in money of United States measured thereby, is declared to be against public policy."*

The corporate U.S. declared bankruptcy a second time, whereby the Secretary of Treasury was appointed "Receiver" for the bankrupt U.S. in Reorganization Plan No. 26, Title 5 USC 903, Public Law 94-564, Legislative History, p.5967.

Since 1933, the only "assets" used by the UNITED STATES to "pay its debt" to the Fed have been the blood, sweat and tears of every American saddled with a birth or naturalization certificate and a Social Security Account Number. Their future labor and tax revenues have been "legally" (Fraud) pledged via the new all-caps/invoice number, juristic-person names appearing on the birth or naturalization certificates, i.e., the securities used as collateral for loans of credit (belief/air) to pay daily operational costs, re-organization expenses in bankruptcy, insurance policy premiums required to float the bankrupt government, and interest on the ever-increasing, wholly fraudulent, debt.

The foregoing II(A)(1)-(6)), vehicles of constructive and actual fraud, renders any and all instruments pertaining thereto as voidable at the election of the defrauded party. **FRAUD VIOLATES A CONTRACT.**

#### **Undue Influence**

#### **II. (A)(1)-Coerced education.**

Declarant herewith adopts and incorporates I.(A)(1), supra, as if fully reproduced herein.

#### **II. (A)(2)-Social Security Insurance contract.**

Federal; agents [employers, school, etc.], inundated me subliminally as well as consciously, by espousing propaganda that insurance protection, in the form of SS, was mandated. After having been sufficiently coerced, I participated in Social Security without reservation.

#### **II. (A)(3)- Use of Postal Service.**

Declarant herewith adopts and incorporates I.(A)(3), supra, as fully reproduced herein.

#### **II. (A)(4)-Other Instruments of U.S. Citizenship.**

Declarant herewith adopts and incorporates I.(A)(4), supra, as if fully reproduced herein.

#### **II.(A)(5)-Pledge, Mortgage, Lien [counsel of State Governors (March 6<sup>th</sup>, 1933)].**

Declarant herewith adopts and incorporates I.(A)(5), supra, as if fully reproduced herein.

#### **II. (A)(6)-Registration of Birth Certificate.**

Declarant herewith adopts and incorporates I.(A)(6), supra, as if fully reproduced herein.

The foregoing, [II., (A)(1)-(6)], a condition whereby my submission to undue influence was manifested by the nefarious mandates of federal agents, renders any and all instruments pertaining thereto as void.

### DISAFFIRMATION OF ASSENT TO CONTRACT

#### AND

### DEMAND FOR RELIEF

I, Michael-Todd: Ricks-Bey, a natural person, an Moorish American citizen, born upon the soil of the sovereign state of Virginia Commonwealth on June Sixteenth, Nineteen Hundred and Fifty Nine being possessed of all guaranteed rights to life, liberty and property without prejudice or encumbrance, in light of the collateral fact that I am not now and never have been a "citizen of the United States," or "Subject to the jurisdiction thereof," re the latently ambiguous, and therefore void 14<sup>th</sup> Amendment to the Constitution of the United States of America, as a result of my having **EXPATRIATED IN TOTO AB INITIO, NUNC PRO TUNC** on the Seventeenth day of June, 1959 A.D. from said United States citizenship, said Expatriation made pursuant to 18 USCS § 1481, and savings clause thereto, R.S. 1999.

**THEREFORE I, Michael-Todd: Ricks-Bey**, do hereby DECLARE AND RENDER NULL AND VOID AB INITIO, nunc pro tunc, any and all contracts purported, or alleged to exist between my natural person and res, and the Corporate UNITED STATES, or any other statutory entity deriving its authority by and through franchise, grant, directly, indirectly, or otherwise, of the Corporate UNITED STATES, 20 Stat. 102, Ch. 180, to specifically include the Corporate State of Virginia Commonwealth Republic, Colorado Republic and/or any "STATE OF" and all agencies, and sub-agencies thereof, whereby said voidable, fraudulent alleged contracts, agreements, whatever, I, **Michael-Todd: Ricks-Bey**, or my guardian, was induced by misrepresentation of material facts and coerced by way of undue influence into a suretyship whereby I stand for the public debts of the juristic entity known as **MICHAEL TODD RICKS**.

This action is taken pursuant to the absolute fact that any and all such contracts, agreements, whatever, were entered into under fraudulent circumstances whereby I, **Michael-Todd: Ricks-Bey**, or my guardian, was entirely unaware of:

- 1) The existence of said juristic entity therefore could not possibly have given genuine assent to any such alleged suretyship. Therefore, I declare any and all such alleged assent NON EST FACTUM AB INITIO, and therefore NULL AND VOID AB INITIO, nunc pro tunc, and further,
- 2) There exists no written document, re the Statute of frauds, wherein, I, **Michael-Todd: Ricks-Bey**, or my guardian has agreed in writing that I should stand as surety for said juristic entity. "Statute of frauds- . . . 2. A statute designed to prevent fraud and perjury by requiring certain contracts to be in writing and signed by the party to be charged. Statute of frauds traditionally applied to . . . (5) A contract to guarantee the debt or duty of another . . ." Black's Law Dictionary, 7<sup>th</sup> Ed.
- 3) Inasmuch as I am a [Indigenous] Moorish American National and land Assignee of the Washitaw Nation of Muurs, via The Republic of Commonwealth Virginia. My property is NOT a commercial piece of property and must NOT be classified as such
- 4) Inasmuch as all alleged contracts, agreements, and the like or suretyship, re said juristic entity, devolve from, or are dependent upon United States citizenship, re the 14<sup>th</sup> Amendment as described herein above, and that:

A. Said 14<sup>th</sup> Amendment was made latently ambiguous by 20 Stat. 102, Ch. 180, and therefore fails due to vagueness; and,

B. The due process clause of said 14<sup>th</sup> Amendment is materially fraudulent in that it conceals the means whereby the LAW of the Constitution of the United States of America, 1791, and the Bill of Rights derived therefrom, is subverted and defeated in a "constitutional" manner and is therefore voidable due to fraudulent misrepresentation of a material fact; and, due to said Fraudulent misrepresentation, and ongoing active concealment, I have learned only recently that "United States" is, in fact, a corporation concealed by common belief, (that the words "United States" used alone, are generally understood to designate the republic of the "United States of America" 91 C.J.S. §2).

- 5) Inasmuch as I, Michael-Todd: Ricks-Bey, have executed said DECLARATION OF EXPATRIATION and provided notice of my intent and desire to claim by birth-right status as a Moorish American Citizen, and,
- 6) Inasmuch as I, Michael-Todd: Ricks-Bey, have claimed and withdrawn my natural person and my res from the jurisdiction of the corporate UNITED STATES and all subdivisions, agencies, municipal corporations, and the like under franchise thereto; or deriving statutory authority therefrom; and,
- 7) Inasmuch as I, Michael-Todd: Ricks-Bey®, have executed the UCC-1 Financing Statement and Security Agreement, Original Filing Number 2007-014-1237-3, (copy enclosed), whereby I have claimed absolute title to said juristic entity and control thereof as Secured Party thereto; and,
- 8) Inasmuch as I, Michael-Todd: Ricks-Bey®, have Accepted For Value, front and back, re FRCP 13 (a), my naturalization certificate and Social Security Account, re enclosed UCC-1; and,
- 9) Noticed the Internal Revenue Service via IRS form-56 (copy enclosed with proof of service) of the change of fiduciary, resaid juristic entity; and,
- 10) Submitted Social Security Administration Form-521 to the SSA and IRS (copy enclosed with proof of service); and,
- 11) Accepted For Value, front and back, re FRCP 13(a), and registered as my private secured property the foundational documents from which THE PEOPLE OF STATE OF COLORADO v. MICHAEL TODD RICKS, case number 04CR383 and 05CR3189 depend; and,
- 12) Inasmuch as said THE PEOPLE OF STATE OF COLORADO v. MICHAEL TODD RICKS, case number 04CR383 and 05CR3189, and all documents related thereto, devolving therefrom, or dependent thereon, have been rendered NULL AND VOID AB INITIO, NUNC PRO TUNC, on grounds related herein above at 3; and,
- 13) In light of the following United States Department of Justice statement- "He pays Social Security , he uses the Postal Service, therefore, Mr. Cooper is a United States Citizen." re: United States of America v. Austin Gary Cooper, 89-109-Cr Hoeveler, DCSFI, (1990). I, Michael-Todd: Ricks-Bey, provide timely notice that henceforth the date of the document, I:
  - a) use Social Security No.229-96-2883 out of necessity, under protest, and without prejudice; and,

- b) use the United States Postal Service out of necessity, under protest, and without prejudice; and,
  - c) use Federal Reserve Bank Notes, i.e., "FRN's" and any and all other services, allegedly, or actually provided by and through the Federal Reserve Bank, out of necessity, under protest, and without prejudice; and,
- 14) Notwithstanding any and all preexisting contrary contracts, agreements, whatever, allegedly existing between myself and my Secured Property, and the aforementioned entities, barring none, are herewith rendered NULL AND VOID AB INITIO, nunc pro tunc, on the grounds stated herein above; and,
  - 15) Notwithstanding any and all allegedly preexisting claims, contracts, whatever, not specifically mentioned in the above, involving, or allegedly involving myself or my secured property, barring none, are herewith rendered NULL AND VOID AB INITIO, nunc pro tunc, on the grounds stated herein above; and,
  - 16) I, Michael-Todd: Ricks-Bey, do herewith FORMALLY AND RESPECTFULLY request you, President George W. Bush III, in your fiduciary capacity as Chief Executive Officer of the United States, and SWORN DEFENDER of the Constitution of the United States of America, and of the RIGHTS accorded all American citizens, CAUSE to be executed and delivered instantan to me, at the address provided herein below, CERTIFIED AND ACTUAL DOCUMENTATION, perhaps in the form of a passport, that I am an American citizen of the United States of America, as ratified 1791, and the Bill of Rights derived therefrom; and,
  - 17) I, Michael-Todd: Ricks-Bey, am NOT a United States citizen, re the 14<sup>th</sup> Amendment, and as a reflection of my true standing in LAW and Fact, that I am not and cannot be made subject to any color-of-law corporate rules and regulations, i.e., Statutes, Codes, and the like, without my express, written consent; and,
  - 18) I, Michael-Todd: Ricks-Bey, do FURTHER REQUEST you exercise your DISCRETIONARY POWERS and cause to be issued instantan and ORDER to COLORADO STATE GOVERNOR WILLIAM RITTER, pursuant to 18 USCS § 1481, re the savings clause R.S. 1999, that I, as an Moorish American Citizen shall be immediately and unconditionally released from confinement by the corporate State of Colorado, Oklahoma and/or any "STATE OF" as such is clearly violative of my CONSTITUTIONAL RIGHTS.

#### CLAIM AND DEMAND

The U.S., i.e., United States is defined as a federal corporation on the authority of Title 28 USC 3002(15).

Said United States is bankrupt on authority of Perry v. United States, 29 US 330-381, (1935); L.Ed. 912.

Said United States is an obligor/grantor to the Federal Reserve Bank created by the authority of the Federal Reserve Bank Act of December 23, 1913, 28 Stat. 265, Ch. 6.

Congress agreed, contracted, in international commercial law, in the said Federal Reserve Bank Act, to give the Federal Reserve Bank System a paramount and "permanent" (ex-warranto 1913 to 1933) lien on the United States assets, the USER of said bank notes, by the authority of 38 Stat. 265, Ch. 6, p266-267.

THEREFORE I "SPECIALLY OBJECT TO" use of Federal Reserve Bank Notes on the authority of Macleod v. Hoover, (June 22, 1925) No. 26395, S.Ct. Louisiana; 105 S.Rep. 305, that court citing U.S. Bank v. Bank of Georgia, 23 U.S. 333, 10 Wheat, 333, 6 L.Ed. 34.